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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,020	12/03/2003	Sun Eun Park	23739-08644	8336

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EXAMINER

PUROL, DAVID M

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/728,020

Applicant(s)

PARK, SUN EUN

Examiner

David M. Purol

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07102006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 16-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

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1. Applicant's election with traverse of Species I in the reply filed on July 10, 2006 is acknowledged. The traversal is on the ground(s) that the embodiments illustrated in Figures 5 and 6 may be conveniently examined in the subject application along with the embodiments of the elected specie. This is not found persuasive because Species II and Species III present structural attributes not associated with Specie I thereby setting forth a different field of search.

The requirement is still deemed proper and is therefore made FINAL.

Accordingly, claims 16-28 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Specie.

2. Claims 1-15,29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

These claims are replete with language for which its intended meaning is not understood, contain numerous grammatical/idiomatic errors, and are narrative in form replete with functional or operational language. For example: claim 1, line 5 "fixedly accommodating", line 13 "provided at one end", line 14 "with a fixing plate secured to horizontal frame member", line 17 "horizontal frame member itself"; claim 2, line 2 "enclosing the display assembly in a flat rectangular shape", line 6 "formed between"; claim 3, line 2 "enclosing the display assembly in a flat rectangular shape"; claim 5, line 2 "transparent display window" which is a double recitation of claim 3, line 4 and claim 4, line 3; claim 10, line 2 "is installed in".

These claims are replete with terminology for which there is an improper antecedent basis. For example: claim 2, lines 3-4 "secured to an upper portion of the

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frame means", line 4 "and transparent display windows", line 5 "at front and back sides of the frame members"; claim 4, line 2 "framework of the exhibition sheet".

The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Jacobs et al. Jacobs et al disclose an automatic display assembly comprising a motor 215 having a rotating shaft 216,239, a cylindrical member 170, an exhibition sheet 40, an equilibrium weight 81, a fixing plate 258,270,253,281,282, a control unit 31,32,310,630,631 (note figures 20-23), a transparent window 78, frame means 35,36.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-15,29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs et al in view of Smith. While Jacobs et al do not disclose the use of a plurality of panels/windows or a lamp, Smith discloses a display assembly which uses a plurality of


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panels/windows 16,17 and a lamp 47, wherein, to incorporate this teaching into the display assembly of Jacobs et al for the purpose of illuminating the exhibition sheet so as to facilitate its viewing would have been obvious to one of ordinary skill in the art.

The specific number of panels/windows employed and/or the particular value of voltage used as the power source is the within the purview of the artisan having ordinary skill.

5. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Will et al, Cheron et al, Rodriquez, Koleda, Archer et al, Johnston et al, Sloop et al, Schepmoes, Graham, Pecorino et al, Salhoff et al, Myers et al.

6. Any inquiry concerning this communication should be directed to David M. Purol at telephone number (571) 272-6833.


David M Purol
Primary Examiner
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